

Testing opt-out/Refusal guide for: KENTUCKY

Form completed by UOO Admin (LM)

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List of Assessments

K-PREP

Kentucky Performance Rating for Educational Progress (K-PREP) tests:

“The assessment for grades 3-8 is a blended model built with norm-referenced test (NRT) and criterion-referenced test (CRT) items which consist of multiple-choice (mc), extended-response (er) and short answer (sa) items. The NRT is a purchased test with national norms and the CRT portion is customized for Kentucky. NCS Pearson has been awarded the contract to provide all assessments for grades 3-8 and writing on-demand at high school.”

From the Kentucky Department of Education (KDE): Kentucky statute KRS 158.6451 requires all Kentucky public school students to take the Educational Planning and Assessment System (EPAS) tests from ACT, Inc., including:

- EXPLORE for eighth graders,
- PLAN for tenth graders, and
- ACT for eleventh graders

...The law also calls for ACT scores to be recorded on high school transcripts and for ACT, Inc., to supply an individual report for each student.

<http://education.ky.gov/AA/distsupp/Documents/DAC%20BAC%20Guide%20for%20EPAS%20QC%20COMPASS%202012-13.pdf>

EXPLORE

“The EXPLORE program is a curriculum-based assessment program designed to help 8th grade students gain an understanding of their academic development in terms of preparation for college, make the most of their opportunities in high school and beyond, and guide them as they start thinking about future educational and career planning.”

<http://education.ky.gov/AA/distsupp/Pages/EXPLORE.aspx>

PLAN

The PLAN assessment is administered each fall to all Kentucky public school students enrolled in the 10th grade and is a "pre-ACT" test.

<http://education.ky.gov/AA/distsupp/Pages/PLAN.aspx>

ACT

The ACT is “a comprehensive system for collecting and reporting information about students planning to enter postsecondary education” and is given to students in 11th grade.

COMPASS

“COMPASS is an untimed, computer-adaptive college placement test given at Kentucky high schools to grade 12 students that have not met the Council on Postsecondary Education's (CPE) benchmarks on the ACT.”

<http://education.ky.gov/AA/distsupp/Pages/COMPASS.aspx>

End-of-Course

“Assessments for English II, Algebra II, Biology and US History have been purchased as part of ACT’s Quality Core program. The program is syllabus-driven and will include curriculum and instruction support materials. Quality Core has been developed based on research in high-performing classrooms that focus on the essential standards for college and career readiness... More information and details regarding EOC assessments are available on this page and from the Kentucky Quality Core website at <http://www.act.org/stateservices/kentucky/>.”

<http://education.ky.gov/AA/distsupp/Pages/EOC.aspx>

Special considerations for the above assessments

“If a student does not meet the college readiness benchmarks for English and language arts and/or mathematics (18 for English, 20 for reading, 19 for mathematics), the student shall take a respective English and language arts or math transitional course or intervention, which is monitored to address remediation needs, before exiting high school.”

<http://education.ky.gov/curriculum/pages/gradrequirements.aspx>

Procedures for opt-out/refusal

No specific opt out or refusal provision can be found for general students. Kentucky expects all children to be tested, but is vague as to the consequences for not completing all tests. Official exemptions appear to be very limited. However, you may first attempt to see if your child qualifies. If they do not, then you may have to test the limits of refusal for the various tests.

The following specific exemption information is obtained from:

<http://education.ky.gov/AA/distsupp/Pages/Forms.aspx>

Extraordinary Circumstances:

“It is the intent of the Kentucky General Assembly that **all** students participate in the assessment and accountability components of KRS 158.645 KRS 158.6455.

The few exceptions currently allowed include those few students who cannot complete either the regular or alternate assessment components even with allowable accommodations due to extraordinary circumstances. The use of this exemption is to be for those circumstances for which there is no other type of exemption. This exemption should not be used for circumstances which do not meet the criteria for any type of exemption such as truancy or student’s refusal to participate in testing.

The following bullets provide several examples of the type of extraordinary circumstances that are readily processed as approved:

- A student has been placed in protective custody and authorities will not reveal the student’s location.
- A student is missing, whereabouts are unknown and the school/district has attempted to locate.
- A student dies during the testing window.
- A student is the sole caregiver for a terminally ill family member.
- A student is a runaway or the victim of parental kidnapping and whereabouts are unknown.”

Medical Exemption Form

“... The following bullets provide several examples of the type of medical conditions that are readily processed as approved:

- A student is seriously injured in an accident just prior to or during the testing window.
- A student is confined to home or hospital with an acute situation, not a long-term home/hospital instruction situation.
- A student is unable to interact with people without serious risk of infection or contamination to others.
- A student is pregnant with complications that endanger health of mother or child or has delivered just prior to or during the testing window.
- A student has a documented mental health crisis that makes him/her dangerous to self and/or others.
- A student is experiencing extreme emotional trauma (e.g., grief due to the death of a parent).”

Urgency for opt-out/refusal

HST:

- Is not scientifically-based and fails to follow the U.S. Government's own data on learning.

- Fosters test driven education that is not meeting the individual/intellectual needs of students.
- Presents a racial and economic bias that is beneficial to white middle/upper class students and detrimental to second language students, impoverished students, and students of color.
- Is in opposition to the corrective action in gaps in opportunity and resources sanctioned by the Fiscal Fairness Act.
- Supports complicity of corporate interests rather than democracy based on public concerns.
- Fosters coercion over cooperation with regards to federal funding for public education.
- Promotes a culture of lying, cheating, and exploitation within the school community.
- Has used the achievement gap to foster a “de facto” segregation that has resulted in separate and unequal education for minorities.

Additionally, data collection of student's private information cannot be guaranteed security or that it will not be abused in some way by third party entities.

As Common Core is implemented, the number of tests and test-centric activities will increase dramatically. Low/poor test scores, which are likely to occur with more frequency with Common Core, will be used to fire teachers, replace human interaction with the internet /technology driven activities (even in elementary schools), and close community public schools and replace them with for-profit charter schools.

Sample language to include in opt-out/refusal

Sample Opt Out Letter

Dear _____:

I am writing on behalf of _____ to opt him/her out of the (test name). He/she is neither permitted to take the exam during mandated testing days nor during designated make-up sessions. Additionally, I am requesting that the school make accommodations for meaningful alternative activities or assignments that will continue to promote his/her academic and intellectual growth. My child will not be in attendance if academically viable alternatives are not available. Furthermore, I must be guaranteed in writing that whatever option is taken, either alternative assignments or absence, my child will not face

any negative consequences to, for example, course grades, social or behavioral evaluations, workload, promotion, or future classroom assignments.

Strict adherence to state and federal high-stakes standardized testing, including the extensive classroom preparation that occurs prior to test administration, prevents my child from receiving a well-rounded and engaging educational experience. Until focus on testable skills diminishes to a reasonable extent, I will continue to withhold my child from participation in the testing program, and I ask that you honor that decision.

I do apologize in advance for the inconvenience or scrutiny that this decision may cause the administration, the school, and staff.

Sincerely,

Resources and organizations

For more information on Assessment, Accountability and Student Information:

<http://education.ky.gov/AA/Pages/default.aspx>

State specific watch-list

The Partnership for Kentucky Schools <http://www.robertsandkay.com/clients/pfks.html>

Expect More, Achieve More <http://expectmoretn.org/>

Partnership Cadre for School and Community
Development, http://www.robertsandkay.com/clients/pfks_cadre.html

Additional or miscellaneous information

Kentucky became the first state to use the new Common Core,
<http://yinzercation.wordpress.com/category/test-scores/>